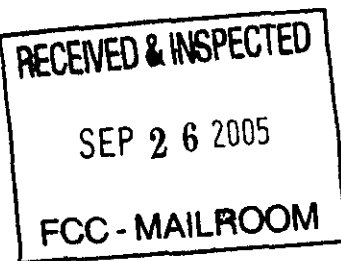


Smoky Hill

Education
Service Center



Central Region Office
605 East Crawford
Salina, KS 67401
(785) 825-9185 phone
(785) 825-9195 fax

North Central Region Office
219 West Seventh
Concordia, KS 66901
(785) 243-4417 phone
(785) 243-4457 fax

Hays Region
Fort Hays University
Picken Hall, Room #330
Hays, KS 67601
(785) 628-4382 phone
(785) 628-4084 fax

September 19, 2005

Federal Communications Commission
Office of the Secretary
445 - 12th Street, SW
Washington, DC 20554

DOCKET FILE COPY ORIGINAL

RE: Billed Entity Number: 147091
471 Application Number: 350004, 358212, 365506

Smoky Hill ESC sent an appeal on our applications on August 17, 2004 for 2003-2004 and is anxiously awaiting a response. All 3 of our applications were denied by Schools and Libraries due to not choosing the lowest price, which in some situations, no other bids were available from which to choose. Schools and Libraries never gave an explanation of why they believed we didn't select the best price. They just denied it on the appeal. Therefore, Smoky Hill ESC appealed to FCC and sent all of the proper documentation. At a later date, two issues arose that may have led to a misunderstanding. One being the % used on (x) price, (y) support, and (z) warranty, and the second one stating "no other bids" instead of what was intended - there were no bids. We just had our same vendor.

Last year, we were denied our application due to the same reason, however, when it was appealed, we were given an area to look in as to why they were determining we had not selected the lowest price. Smoky Hill ESC immediately addressed the issue with Schools and Libraries with an e-mail detailing the percentages used.

It is our hope the FCC will determine: a) Smoky Hill ESC does select the lowest price, and b) we do abide by all the regulations set forth by Schools and Libraries. This is the only time we have ever appealed to the FCC and since a similar appeal to Schools and Libraries this past year was determined valid, that FCC will expedite our appeal and approves it in order for Smoky Hill ESC to close out the 2003-2004 year and receive our reimbursements.

We will be glad to provide any other supporting evidence or information you need to expedite this process. Please feel free to communicate with us until we can resolve this issue.

Sincerely,

Teresa Whitney
Technology Specialist
twhitney@smokyhill.org
785/825-9185

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Smoky Hill

Education
Service Center

North Central Regional Office
219 West 7th
Concordia, KS 66901
(785) 243-4417 phone
(785) 243-4457 fax
Dr. Glen Lakes, Director

Dr. Rita C. Cook, Executive Director

Central Regional Office
605 E. Crawford
Salina, KS 67401
(785) 825-9185 phone
(785) 825-9195 fax
Larry Patrick, Director

August 17, 2004

Federal Communications Commission
Office of the Secretary
445 - 12th Street SW
Washington, DC 20554

Re: CC Docket No. 02-6
Request for Review

Smoky Hill/Central KS ESC

| | |
|----------------------------|--|
| Billed Entity Number: | 147091 |
| 471 Application Number | 350004 |
| Funding Request Number(s) | 963596, 963603, 963612, 963619, 963624 |
| Your Correspondence Dated: | June 18, 2004 |

This letter is an official "Request for Review" to the Federal Communications Commission (FCC) regarding Smoky Hill/Central KS ESC's appeal to the Schools and Libraries Division ("SLD") of the Universal Service Administrative Company ("USAC") for Year 2003 Funding Commitment Decision for the application number indicated above. The Administrator's Decision on Appeal for Funding Year 2003-2004 was "Denied in Full".

SLD's decision to deny is based on the premise that "price was not the primary factor in the selection of the service provider". Smoky Hill/Central KS ESC provided documentation during the selective review process indicating our understanding of the

competitive bidding process and maintains our assertion that price is always the primary factor when awarding bids providing all other specifications are met.

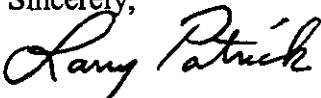
One statement in our selective review process may be the point of contention with SLD that requires further explanation. "We (Smoky Hill/Central KS ESC) consider (x) price, (y) support, and (z) warranty in choosing our vendors. The weight for each would be (x) 40%, (y) 50%, and (z) 10%." In today's competitive bidding environment, price and support are lumped together placing price/warranty and support as equal (50-50) in bid consideration. This is an estimate at best as these percentages are difficult to define. Therefore, the default is price as long as all other specifications are met.

Bullet #2 of SLD's explanation refers to the preceding paragraph as the reason for the denial since "price was not the primary factor in the evaluation criteria, the SLD determined that the vendor selection process did not comply with the rules of the Schools and Libraries Support Mechanism." If SLD looks carefully at the supporting documentation of all bids received, price was the overall determining factor in the selection process.

Bullet #3 indicates documentation provided in the course of review did not demonstrate that price was not the primary factor in selecting the service provider. In Bullet #4, SLD quotes FCC regulations supporting price as the primary factor in selecting a bid. Smoky Hill/Central KS ESC agrees and supports this concept. In addition, an applicant may consider other relevant factors that include "prior experience, including past performance, personnel qualifications, including technical excellence; management capability, including schedule compliance; and environmental objectives." These are the exact items Smoky Hill/Central KS ESC considers under "support" from all our vendors.

Smoky Hill/Central KS ESC provides education opportunities to high school dropouts and young men in residential treatment (mental health) facilities. Erate is extremely important in providing these services. Please review the specifics of the bids and you will determine price was the primary factor in selecting the bid. I apologize if our previous submissions were not clear. It has always been Smoky Hill's intent to comply with the rules and regulations set forth by the FCC.

Sincerely,



Larry Patrick
Central Region Director
Smoky Hill Education Service Center



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal - Funding Year 2003-2004

June 18, 2004

Larry Patrick
Smokey Hill Education Service Center
605 East Crawford
Salina, KS 67401

Re: Smoky Hill/Central KS ESC

Re: Billed Entity Number: 147091
471 Application Number: 350004
Funding Request Number(s): 963596, 963603, 963612, 963619, 963624
Your Correspondence Dated: March 30, 2004

After thorough review and investigation of all relevant facts, the Schools and Libraries Division ("SLD") of the Universal Service Administrative Company ("USAC") has made its decision in regard to your appeal of SLD's Year 2003 Funding Commitment Decision for the application number indicated above. This letter explains the basis of SLD's decision. The date of this letter begins the 60-day time period for appealing this decision to the Federal Communications Commission ("FCC"). If your letter of appeal included more than one application number, please note that for each application an appeal is submitted, a separate letter is sent.

Funding Request Number: 963596, 963603, 963612, 963619, 963624
Decision on Appeal: Denied in full
Explanation:

- On appeal, you seek reversal of the SLD's decision to deny the above referenced funding requests where price was not the primary factor in the selection of the service provider. In support of your request, you assert that Smoky Hill/Central KS ESC always awards the bids based on the primary factor of price. With you Letter of Appeal, you include copies of partial responses provided to SLD during the selective review process and guidelines excerpts from the SLD website on the competitive bidding process.
- During the course of Program Integrity Assurance review, Smoky Hill/Central KS ESC was asked to provide documentation explaining the vendor selection process. The SLD thoroughly reviewed the documentation and determined that based on the documentation provided price was not the primary factor in the vendor selection

process. The vendor's support was given greater weight than price; support was weighted 50% and price weighted 40%. Since price was not the primary factor in the evaluation criteria, the SLD determined that the vendor selection process did not comply with the rules of the Schools and Libraries Support Mechanism.

- After thorough review of the assertions made in your appeal, it is determined that based on the documentation provided during the course of the review, the decision to deny the requests was proper. SLD's review of your application determined that price was not the primary factor when you selected your service provider. You did not demonstrate in your appeal that price was the primary factor when you selected your service provider. Consequently, your appeal is denied in full.
- FCC regulations require that the entity selecting a service provider "carefully consider all bids submitted and may consider relevant factors other than the pre-discount prices submitted by providers."¹ In regard to these competitive bidding requirements, the FCC mandated that "price should be the primary factor in selecting a bid."² When allowed under state and local procurement rules, other relevant factors an applicant may consider include "prior experience, including past performance; personnel qualifications, including technical excellence; management capability, including schedule compliance; and environmental objectives."³ As stated by the FCC in the Tennessee Order, other factors, such as prior experience, personnel qualifications, including technical excellence, and management capability, including schedule compliance, form a reasonable basis to evaluate whether an offering is cost-effective.⁴ Recently, the Commission reaffirmed its position that schools must select the most cost-effective service offering and in making this decision, price should be the primary factor considered. See 47 C.F.R. § 54.511(a).

If you believe there is a basis for further examination of your application, you may file an appeal with the Federal Communications Commission (FCC). You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

¹ 47 C.F.R. § 54.511(a).

² Federal-State Joint Board on Universal Service, CC Docket No. 96-45, *Order*, 12 FCC Rcd 8776 at ¶ 481 (1997) ("*Universal Service Order*").

³ *Id.*

⁴ Request for review by the Department of Education of the State of Tennessee, Federal-State Joint Board on Universal Service, changes to the Board of Directors of National Exchange Carrier Association, Inc., CC Docket Nos. 96-45 and 97-21, *Order*, 14 FCC Rcd. 13,734 (1999).

We thank you for your continued support, patience, and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal - Funding Year 2003-2004

June 18, 2004

Larry Patrick
Smokey Hill Education Service Center
605 East Crawford
Salina, KS 67401

Re: Smoky Hill/Central KS ESC

Re: Billed Entity Number: 147091
471 Application Number: 358212
Funding Request Number(s): 967204, 967209, 967218, 967219, 967224,
967230, 967233, 967236, 967246, 967249,
967253, 967257, 967261, 967265, 967272,
967277, 967315, 967337

Your Correspondence Dated: March 30, 2004

After thorough review and investigation of all relevant facts, the Schools and Libraries Division ("SLD") of the Universal Service Administrative Company ("USAC") has made its decision regarding your appeal of SLD's Year 2003 Funding Commitment Decision for the application number indicated above. This letter explains the basis of SLD's decision. The date of this letter begins the 60-day period for appealing this decision to the Federal Communications Commission ("FCC"). If your letter of appeal included more than one application number, please note that for each application an appeal is submitted, a separate letter is sent.

Funding Request Number: 967204, 967209, 967218, 967219, 967224, 967230,
967233, 967236, 967246, 967249, 967253, 967257,
967261, 967265, 967272, 967277, 967315, 967337

Decision on Appeal: **Denied in full**
Explanation:

- On appeal, you seek reversal of the SLD's decision to deny the above referenced funding requests where price was not the primary factor in the selection of the service provider. In support of your request, you assert that Smoky Hill/Central KS ESC always awards the bids based on the primary factor of price. You have included copies of responses provided to SLD during the selective review process and excerpts from the SLD website on the competitive bidding process.

- During the course of Program Integrity Assurance review, Smoky Hill/Central KS ESC was asked to provide documentation explaining the vendor selection process. The SLD thoroughly reviewed the documentation and determined that based on the documentation provided price was not the primary factor in the vendor selection process. The vendor's support was given greater weight than price; support was weighted 50% and price weighted 40%. Since price was not the primary factor in the evaluation criteria, the SLD determined that the vendor selection process did not comply with the rules of the Schools and Libraries Support Mechanism.
- After thorough review of the assertions made in your appeal, it is determined that based on the documentation provided during the course of the review, the decision to deny the requests was proper. SLD's review of your application determined that price was not the primary factor when you selected your service provider. You did not demonstrate in your appeal that price was the primary factor when you selected your service provider. Consequently, your appeal is denied in full.
- FCC regulations require that the entity selecting a service provider "carefully consider all bids submitted and may consider relevant factors other than the pre-discount prices submitted by providers."¹ In regard to these competitive bidding requirements, the FCC mandated that "price should be the primary factor in selecting a bid."² When allowed under state and local procurement rules, other relevant factors an applicant may consider include "prior experience, including past performance; personnel qualifications, including technical excellence; management capability, including schedule compliance; and environmental objectives."³ As stated by the FCC in the Tennessee Order, other factors, such as prior experience, personnel qualifications, including technical excellence, and management capability, including schedule compliance, form a reasonable basis to evaluate whether an offering is cost-effective.⁴ Recently, the Commission reaffirmed its position that schools must select the most cost-effective service offering and in making this decision, price should be the primary factor considered. See 47 C.F.R. § 54.511(a).

If you believe there is a basis for further examination of your application, you may file an appeal with the Federal Communications Commission (FCC). You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

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We thank you for your continued support, patience, and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company

Smoky Hill

Education
Service Center

North Central Regional Office
219 West 7th
Concordia, KS 66901
(785) 243-4417 phone
(785) 243-4457 fax
Dr. Glen Lakes, Director

Dr. Rita C. Cook, Executive Director

Central Regional Office
605 E. Crawford
Salina, KS 67401
(785) 825-9185 phone
(785) 825-9195 fax
Larry Patrick, Director

August 17, 2004

Federal Communications Commission
Office of the Secretary
445 - 12th Street SW
Washington, DC 20554

Re: CC Docket No. 02-6
Request for Review

Smoky Hill/Central KS ESC

| | |
|---------------------------|---|
| Billed Entity Number: | 147091 |
| 471 Application Number | 358212 |
| Funding Request Number(s) | 967204, 967209, 967218, 967219, 967224, 967230, 967233, 967236, 967246, 967249, 967253, 967257, 967261, 967265, 967272, 967277, 967315, 967337 |

Your Correspondence Dated: June 18, 2004

This letter is an official "Request for Review" to the Federal Communications Commission (FCC) regarding Smoky Hill/Central KS ESC's appeal to the Schools and Libraries Division ("SLD") of the Universal Service Administrative Company ("USAC") for Year 2003 Funding Commitment Decision for the application number indicated above. The Administrator's Decision on Appeal for Funding Year 2003-2004 was "Denied in Full".

SLD's decision to deny is based on the premise that "price was not the primary factor in the selection of the service provider". Smoky Hill/Central KS ESC provided documentation during the selective review process indicating our understanding of the competitive bidding process and maintains our assertion that price is always the primary factor when awarding bids providing all other specifications are met.

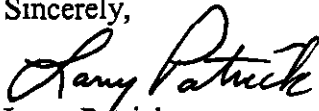
One statement in our selective review process may be the point of contention with SLD that requires further explanation. "We (Smoky Hill/Central KS ESC) consider (x) price, (y) support, and (z) warranty in choosing our vendors. The weight for each would be (x) 40%, (y) 50%, and (z) 10%." In today's competitive bidding environment, price and support are lumped together placing price/warranty and support as equal (50-50) in bid consideration. This is an estimate at best as these percentages are difficult to define. Therefore, the default is price as long as all other specifications are met.

Bullet #2 of SLD's explanation refers to the preceding paragraph as the reason for the denial since "price was not the primary factor in the evaluation criteria, the SLD determined that the vendor selection process did not comply with the rules of the Schools and Libraries Support Mechanism." If SLD looks carefully at the supporting documentation of all bids received, price was the overall determining factor in the selection process.

Bullet #3 indicates documentation provided in the course of review did not demonstrate that price was not the primary factor in selecting the service provider. In Bullet #4, SLD quotes FCC regulations supporting price as the primary factor in selecting a bid. Smoky Hill/Central KS ESC agrees and supports this concept. In addition, an applicant may consider other relevant factors that include "prior experience, including past performance, personnel qualifications, including technical excellence; management capability, including schedule compliance; and environmental objectives." These are the exact items Smoky Hill/Central KS ESC considers under "support" from all our vendors.

Smoky Hill/Central KS ESC provides education opportunities to high school dropouts and young men in residential treatment (mental health) facilities. Erate is extremely important in providing these services. Please review the specifics of the bids and you will determine price was the primary factor in selecting the bid. I apologize if our previous submissions were not clear. It has always been Smoky Hill's intent to comply with the rules and regulations set forth by the FCC.

Sincerely,



Larry Patrick

Central Region Director

Smoky Hill Education Service Center



Smoky Hill

Education
Service Center

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Concordia, KS 66901
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Central Regional Office
605 E. Crawford
Salina, KS 67401
(785) 825-9185 phone
(785) 825-9195 fax
Larry Patrick, Director

August 17, 2004

Federal Communications Commission
Office of the Secretary
445 - 12th Street SW
Washington, DC 20554

Re: CC Docket No. 02-6
Request for Review

Smoky Hill/Central KS ESC

| | |
|---------------------------|---|
| Billed Entity Number: | 147091 |
| 471 Application Number | 365506 |
| Funding Request Number(s) | 992428, 992451, 992462, 992476, 992483, 992498, 992519, 992532, 993626, 993637, 993644, 993659, 993678, 993692, 993708, 993718, 993749, 993769, 993786, 993803, 993813, 993828, 993897, 993915, 993977, 993994, 994007, 994024, 994045, 994064, 994086, 994171, 994212, 994264, 994316, 994357, 994406, 994453, 994486 |

Your Correspondence Dated: June 25, 2004

This letter is an official "Request for Review" to the Federal Communications Commission (FCC) regarding Smoky Hill/Central KS ESC's appeal to the Schools and Libraries Division ("SLD") of the Universal Service Administrative Company ("USAC") for Year 2003 Funding Commitment Decision for the application number indicated above. The Administrator's Decision on Appeal for Funding Year 2003-2004 was "Denied in Full".

SLD's decision to deny is based on the premise that "price was not the primary factor in the selection of the service provider". Smoky Hill/Central KS ESC provided documentation during the selective review process indicating our understanding of the competitive bidding process and maintains our assertion that price is always the primary factor when awarding bids providing all other specifications are met.

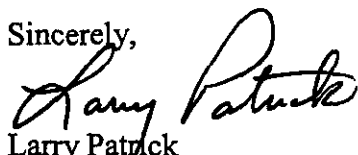
One statement in our selective review process may be the point of contention with SLD that requires further explanation. "We (Smoky Hill/Central KS ESC) consider (x) price, (y) support, and (z) warranty in choosing our vendors. The weight for each would be (x) 40%, (y) 50%, and (z) 10%." In today's competitive bidding environment, price and support are lumped together placing price/warranty and support as equal (50-50) in bid consideration. This is an estimate at best as these percentages are difficult to define. Therefore, the default is price as long as all other specifications are met.

Bullet #2 of SLD's explanation refers to the preceding paragraph as the reason for the denial since "price was not the primary factor in the evaluation criteria, the SLD determined that the vendor selection process did not comply with the rules of the Schools and Libraries Support Mechanism." If SLD looks carefully at the supporting documentation of all bids received, price was the overall determining factor in the selection process.

Bullet #3 indicates documentation provided in the course of review did not demonstrate that price was not the primary factor in selecting the service provider. In Bullet #4, SLD quotes FCC regulations supporting price as the primary factor in selecting a bid. Smoky Hill/Central KS ESC agrees and supports this concept. In addition, an applicant may consider other relevant factors that include "prior experience, including past performance, personnel qualifications, including technical excellence; management capability, including schedule compliance; and environmental objectives." These are the exact items Smoky Hill/Central KS ESC considers under "support" from all our vendors.

Smoky Hill/Central KS ESC provides education opportunities to high school dropouts and young men in residential treatment (mental health) facilities. Erate is extremely important in providing these services. Please review the specifics of the bids and you will determine price was the primary factor in selecting the bid. I apologize if our previous submissions were not clear. It has always been Smoky Hill's intent to comply with the rules and regulations set forth by the FCC.

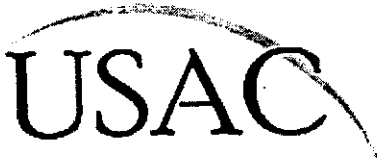
Sincerely,



Larry Patrick

Central Region Director

Smoky Hill Education Service Center



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal - Funding Year 2003-2004

June 25, 2004

Larry Patrick
Smokey Hill Education Service Center
605 East Crawford
Salina, KS 67401

Re: Smoky Hill/Central KS ESC

| | | |
|-----|----------------------------|---|
| Re: | Billed Entity Number: | 147091 |
| | 471 Application Number: | 365506 |
| | Funding Request Number(s): | 992428, 992451, 992462, 992476, 992483, 992498, 992519, 992532, 993626, 993637, 993644, 993659, 993678, 993692, 993708, 993718, 993749, 993769, 993786, 993803, 993813, 993828, 993897, 993915, 993977, 993994, 994007, 994024, 994045, 994064, 994086, 994171, 994212, 994264, 994316, 994357, 994406, 994453, 994486 |
| | Your Correspondence Dated: | April 30, 2004 |

After thorough review and investigation of all relevant facts, the Schools and Libraries Division ("SLD") of the Universal Service Administrative Company ("USAC") has made its decision in regard to your appeal of SLD's Year 2003 Funding Commitment Decision for the application number indicated above. This letter explains the basis of SLD's decision. The date of this letter begins the 60-day time period for appealing this decision to the Federal Communications Commission ("FCC"). If your letter of appeal included more than one application number, please note that for each application an appeal is submitted, a separate letter is sent.

| | |
|--------------------------------|--|
| <u>Funding Request Number:</u> | 992428, 992451, 992462, 992476, 992483, 992498, 992519, 992532, 993626, 993637, 993644, 993659, 993678, 993692, 993708, 993718, 993749, 993769, 993786, 993803, 993813, 993828, 993897, 993915, 993977, 993994, 994007, 994024, 994045, 994064, 994086, 994171, 994212, 994264, 994316, 994357, 994406, 994453, 994486 |
|--------------------------------|--|

| | |
|---------------------|-----------------------|
| Decision on Appeal: | Denied in full |
| Explanation: | |

- On appeal, you seek reversal of the SLD's decision to deny the above referenced funding requests where price was not the primary factor in the selection of the service provider. In support of your request, you assert that Smoky Hill/Central KS ESC always awards the bids based on the primary factor of price. You also contend that an error was made in stating that multiple bids were received on the FRNs, when, in fact no other bids were received and you have included such correction to all FRNs under appeal.
- During the course of Program Integrity Assurance review, Smoky Hill/Central KS ESC was asked to provide documentation explaining the vendor selection process. The SLD thoroughly reviewed the documentation and determined that based on the documentation provided price was not the primary factor in the vendor selection process. The vendor's support was given greater weight than price; support was weighted 50% and price weighted 40%. Since price was not the primary factor in the evaluation criteria, the SLD determined that the vendor selection process did not comply with the rules of the Schools and Libraries Support Mechanism.
- After thorough review of the assertions made in your appeal, it is determined that based on the documentation provided during the course of the review, the decision to deny the requests was proper. SLD's review of your application determined that price was not the primary factor when you selected your service provider. Program rules do not permit the SLD to accept new information on appeal except where an applicant was not given an opportunity to provide information during the initial review or an error was made by the SLD. You did not demonstrate in your appeal that price was the primary factor when you selected your service provider. Consequently, your appeal is denied in full.
- FCC regulations require that the entity selecting a service provider "carefully consider all bids submitted and may consider relevant factors other than the pre-discount prices submitted by providers."¹ In regard to these competitive bidding requirements, the FCC mandated that "price should be the primary factor in selecting a bid."² When allowed under state and local procurement rules, other relevant factors an applicant may consider include "prior experience, including past performance; personnel qualifications, including technical excellence; management capability, including schedule compliance; and environmental objectives."³ As stated by the FCC in the Tennessee Order, other factors, such as prior experience, personnel qualifications, including technical excellence, and management capability, including schedule compliance, form a reasonable basis to evaluate whether an offering is cost-effective.⁴ Recently, the Commission reaffirmed its position that schools must select the most cost-effective service offering and in making this decision, price should be the primary factor considered. See 47 C.F.R. § 54.511(a).

¹ 47 C.F.R. § 54.511(a).

² Federal-State Joint Board on Universal Service, CC Docket No. 96-45, *Order*, 12 FCC Rcd 8776 at ¶ 481 (1997) ("*Universal Service Order*").

³ *Id.*

⁴ Request for review by the Department of Education of the State of Tennessee, Federal-State Joint Board on Universal Service, changes to the Board of Directors of National Exchange Carrier Association, Inc., CC Docket Nos. 96-45 and 97-21, *Order*, 14 FCC Rcd. 13,734 (1999).

If you believe there is a basis for further examination of your application, you may file an appeal with the Federal Communications Commission (FCC). You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience, and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company

Smoky Hill ESC-Teresa Whitney

From: Teresa Whitney [twhitney@smokyhill.org]
Sent: Tuesday, June 29, 2004 2:11 PM
To: tcelent@sl.universalservice.org
Subject: Application 422293, 433232, 433285

In regards to our conversation today, I requested that you add this e-mail to your folder in regards to our selective review audit on application 422293, 433232, 4433285, as there was an error made on submitting some of the information.

Last year was the first year we had received a selective review audit and my boss tried to answer everything to the best of our ability in determining what you needed. One of the errors last year was in regards to the percentage of weight he gave in determining who was awarded the bid. Even though, my boss believes support is very important, we didn't realize what a issue the percentages would make. We believe price and warranty to be part of the same quote and support to be separate, which if you give price 40% and warranty 10%, the quote is based on 50%, and the support is based on 50%. We always award the lowest bid, as you can see in our bids. After finding out that we were denied some of our items last year, because of this error, I suggested that we show the percentages correctly this year. However, in his preparation of the selective review audit for this year, he copied and pasted quite a few items from last year and it happened to be one of those items and I didn't catch it until now.

Please allow me to change the percentages to (x)price 51%, (y)support 40%, and (z)warranty 9%. You do not know how much I appreciate this. Thank you.

Teresa Whitney
E-Rate Consultant



Smoky Hill
Education
Service Center

605 E. Crawford
Salina, KS 67401
(P) 785/825-9185 (F) 785/825-9195



Universal Service Administrative Company
Schools & Libraries Division

FUNDING COMMITMENT DECISION LETTER

(Funding Year 2004: 07/01/2004 - 06/30/2005)

486-17584

June 14, 2005

Teresa Whitney
Smoky Hill/Central KS ESC
605 E. Crawford
Salina, KS 67401

Re: Form 471 Application Number: 422293
Funding Year 2004: 07/01/2004 - 06/30/2005
Billed Entity Number: 147091
Applicant's Form Identifier: SHESC47104

Thank you for your Funding Year 2004 E-rate application and for any assistance you provided throughout our review. Here is the current status of the funding request(s) featured in the Funding Commitment Report at the end of this letter.

- The amount, \$64,388.63 is "Approved."

Please refer to the Funding Commitment Report on the page following this letter for specific funding request decisions and explanations.

The Important Reminders and Deadlines immediately preceding this letter are provided to assist you throughout the application process.

NEXT STEPS

- Review technology planning approval requirements
- Review CIPA Requirements
- File Form 486
- Invoice the SLD using the Form 474 (service providers) or Form 472 (Billed Entity)

FUNDING COMMITMENT REPORT

On the pages following this letter, we have provided a Funding Commitment Report for the Form 471 application cited above. The enclosed report includes a list of the Funding Request Number(s) (FRNs) from your application. The SLD is also sending this information to your service provider(s) so preparations can be made to begin implementing your E-rate discount(s) after you file your Form 486. Immediately preceding the Funding Commitment Report, you will find a guide that provides a definition for each line of the Report.

TO APPEAL THIS DECISION:

If you wish to appeal the decision indicated in this letter, your appeal must be received by the SLD or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and e-mail address (if available) for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Identify which Funding Commitment Decision(s) you are appealing. Indicate the relevant funding year and the date of the FCDL. Your letter of appeal must also include the Billed Entity Name, the



Universal Service Administrative Company
Schools & Libraries Division

486-15863

FUNDING COMMITMENT DECISION LETTER

(Funding Year 2004: 07/01/2004 - 06/30/2005)

June 14, 2005

Teresa Whitney
Smoky Hill/Central KS ESC
605 E. Crawford
Salina, KS 67401

Re: Form 471 Application Number: 433232
Funding Year 2004: 07/01/2004 - 06/30/2005
Billed Entity Number: 147091
Applicant's Form Identifier: SHESC47104a

Thank you for your Funding Year 2004 E-rate application and for any assistance you provided throughout our review. Here is the current status of the funding request(s) featured in the Funding Commitment Report at the end of this letter.

- The amount, \$211,367.60 is "Approved."

Please refer to the Funding Commitment Report on the page following this letter for specific funding request decisions and explanations.

The Important Reminders and Deadlines immediately preceding this letter are provided to assist you throughout the application process.

NEXT STEPS

- Review technology planning approval requirements
- Review CIPA Requirements
- File Form 486
- Invoice the SLD using the Form 474 (service providers) or Form 472 (Billed Entity)

FUNDING COMMITMENT REPORT

On the pages following this letter, we have provided a Funding Commitment Report for the Form 471 application cited above. The enclosed report includes a list of the Funding Request Number(s) (FRNs) from your application. The SLD is also sending this information to your service provider(s) so preparations can be made to begin implementing your E-rate discount(s) after you file your Form 486. Immediately preceding the Funding Commitment Report, you will find a guide that provides a definition for each line of the Report.

TO APPEAL THIS DECISION:

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1. Include the name, address, telephone number, fax number, and e-mail address (if available) for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Identify which Funding Commitment Decision(s) you are appealing. Indicate the relevant funding year and the date of the FCDL. Your letter of appeal must also include the Billed Entity Name, the



Universal Service Administrative Company
Schools & Libraries Division

FUNDING COMMITMENT DECISION LETTER

(Funding Year 2004: 07/01/2004 - 06/30/2005)

486-17143

June 14, 2005

Teresa Whitney
Smoky Hill/Central KS ESC
605 E. Crawford
Salina, KS 67401

Re: Form 471 Application Number: 433285
Funding Year 2004: 07/01/2004 - 06/30/2005
Billed Entity Number: 147091
Applicant's Form Identifier: SHESC47104b

Thank you for your Funding Year 2004 E-rate application and for any assistance you provided throughout our review. Here is the current status of the funding request(s) featured in the Funding Commitment Report at the end of this letter.

- The amount, \$130,721.37 is "Approved."
- The amount, \$3,308.11 is "Denied."

Please refer to the Funding Commitment Report on the page following this letter for specific funding request decisions and explanations.

The Important Reminders and Deadlines immediately preceding this letter are provided to assist you throughout the application process.

NEXT STEPS

- Review technology planning approval requirements
- Review CIPA Requirements
- File Form 486
- Invoice the SLD using the Form 474 (service providers) or Form 472 (Billed Entity)

FUNDING COMMITMENT REPORT

On the pages following this letter, we have provided a Funding Commitment Report for the Form 471 application cited above. The enclosed report includes a list of the Funding Request Number(s) (FRNs) from your application. The SLD is also sending this information to your service provider(s) so preparations can be made to begin implementing your E-rate discount(s) after you file your Form 486. Immediately preceding the Funding Commitment Report, you will find a guide that provides a definition for each line of the Report.

TO APPEAL THIS DECISION:

If you wish to appeal the decision indicated in this letter, your appeal must be received by the SLD or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and e-mail address (if available) for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Identify which Funding Commitment Decision(s) you are appealing. Indicate the relevant funding year and the date